

BILL NO. S-76-07-09

SPECIAL ORDINANCE NO. S-121-76

AN ORDINANCE approving a contract with Gladieux Refinery, Inc. for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated June 22, 1976, between the City of Fort Wayne, by and through its Mayor, the Board of Commissioners, the Department of Public Safety, and Gladieux Refinery, Inc. for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

All buildings and improvements of Gladieux Refinery, Inc. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.

67-0008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast 1/4 of Section 8.


67-9990-4012 South 86, 100 square feet Northeast 1/4 Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast 1/4 Section 8, 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast 1/4 between RR and 24 and 30. Section 8.

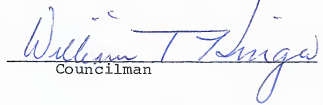
67-0008-0005 East 5 acres of mid part fractional Northeast 1/4 South of canal and North of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

SECTION 2. The cost to Gladieux Refinery, Inc. shall be the sum of \$3,141.25, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Annotated Sec. 48-6176.

APPROVED AS TO FORM
AND LEGALITY.

CITY ATTORNEY

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4 SECTION 3. Said contract is on file in the Office
5 of the Board of Public Safety and is by reference incorporated
6 herein, made a part hereof, and is hereby in all things ratified,
7 confirmed and approved.

8 SECTION 4. This Ordinance shall be in full force
9 and effect from and after its passage and approval by the Mayor.

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12 Councilman
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Read the first time in full and on motion by Norris, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 7/13/76

Charles W. Whitman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by James, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HUNTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 7-27-76

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 8-131-76 on the 27th day of July, 1976.

ATTEST:

(SEAL)

Charles W. Whitman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of July, 1976, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 28th day of July, 1976, at the hour of 5:00 o'clock P M., E.S.T.

Robert Armstrong
MAYOR

Bill No. S-76-07-09

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract with Gladieux Refinery, Inc. for fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

Vivian G. Schmidt - Chairman

William T. Hinga - Vice-Chairman

Winfield C. Moses, Jr.

John Nuckols

Samuel J. Talarico

Vivian G. Schmidt
William T. Hinga

John Nuckols
Samuel J. Talarico

DATE 7-27-76 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1976, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-0008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-9990-4012 South 86, 100 square feet Northeast $\frac{1}{4}$ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast $\frac{1}{4}$ Section 8. 60 acres.

67-0008-0075 East 410.2 of West 1454.4 feet Northeast $\frac{1}{4}$ between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast $\frac{1}{4}$ South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$284,740 issued by the Adams Township Assessor's Office.

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described:

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1976 until June 21, 1977, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, GLADIEUX REFINERY shall pay to CITY the sum of One and One Thousand Thirty-Two Thousandths Dollars (\$1.1032) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$284,740, the sum owing under this contract is \$3,141.25. Said sum shall be payable upon execution of this contract.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

By James M. Gladieux

CITY OF FORT WAYNE, INDIANA

By _____
Robert E. Armstrong, its Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

By Albert N. Hepler
Albert N. Hepler, Chairman

By William L. Kerr
William L. Kerr, Member

By Solon Jennings
Solon Jennings, Member

ATTEST:

John C. Lewton
John C. Lewton, Executive Secretary

I hereby certify that the foregoing contract was ratified
and approved by the Common Council of the City of Fort Wayne, Indiana,
on _____, 1976.

Charles W. Westerman, Clerk

DIGEST SHEET

S-76-07-09

TITLE OF ORDINANCE Fire Contract with Gladieux Refinery, Incorporated

DEPARTMENT REQUESTING ORDINANCE Department of Public Safety
Offices of Emergency Services

SYNOPSIS OF ORDINANCE Request Common Council Ratification of the attached
Fire Protection Contract with Gladieux Refinery, Incorporated. The contract
covers the period of June 22, 1976 to June 22, 1977.

EFFECT OF PASSAGE Provide the City with income to the Firefighting Fund.

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

Gladieux Refinery, Incorporated \$3,141.25

ASSIGNED TO COMMITTEE (PRESIDENT) *Finance J. J. J.*